

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; LAWRENCE BLACKMON; HERBERT ANTHONY GREEN; KHADAFY MANNING; QUINNETTA MANNING; MARVIN MCFIELD; NICHOLAS SINGLETON; STEVEN SMITH; BESSIE THOMAS; and BETTY JEAN WILLIAMS TUCKER, individually and on behalf of a class of all others similarly situated,

Plaintiffs,

v.

MADISON COUNTY, MISSISSIPPI; SHERIFF RANDALL S. TUCKER, in his official capacity; and MADISON COUNTY SHERIFF'S DEPUTIES JOHN DOES #1 through #6, in their individual capacities,

Defendants.

Civil Action No.
3:17-cv-00347-WHB-LRA

**JOINT MOTION FOR
ENTRY OF STIPULATED
SCHEDULING ORDER**

Plaintiffs and Defendants (collectively, the “Parties”) respectfully submit this Joint Motion for entry of a stipulated scheduling order regarding the briefing schedule for class certification and for expert disclosures and discovery related to class certification. In support of this Joint Motion, the Parties would show as follows:

1. On January 18, 2018, the Court entered an Order [Dkt. #169] which established February 16, 2018 as the deadline for completing class certification-related fact discovery and March 14, 2018 as the deadline for Plaintiffs to file their class certification motion.

2. Prior to entry of the Order, the Parties advised the Court of their agreement that (i) Plaintiffs’ expert submissions in support of class certification, and Plaintiffs’ related Rule 26

disclosures, would be submitted concurrently with the filing of Plaintiffs' class certification motion; (ii) the Parties would submit any further expert submissions and disclosures concurrently with the filing of their respective opposition and reply briefs; and (iii) class certification-related expert discovery would commence on the date of each Party's respective expert disclosures. *See* Dkt. #143 at 3 n.1; Dkt. #157 at 1-2.

3. Following entry of the Order, the parties have conferred further and agree that the Parties should be afforded a period of 30 days from the completion of the last deposition of the Party opposite's expert(s) to file their respective opposition and reply briefs and to conduct expert discovery, and therefore that each Party should be afforded fifty-five (55) days total to take discovery of the party opposite's expert(s) and to submit their respective opposition and reply brief. The Parties further agree that disclosed experts will be made available to be deposed where the experts may be found, on a date no later than twenty-five (25) days following the respective experts' disclosure unless the Parties specifically agree on a later date within the respective expert discovery period. The Parties further agree that the Parties will assume the respective costs associated with their own experts' time spent preparing for those depositions. The Parties further agree that the Party deposing the opposite Party's expert will be responsible for that expert's time spent in the deposition.

4. The Parties now jointly submit that good cause exists for entry of the Stipulated Scheduling Order, reflecting the foregoing agreement of the Parties, in the form attached hereto as **Exhibit A**, and therefore respectfully request that the Court approve and adopt this Stipulated Scheduling Order as an Order of the Court.

Dated: February 26, 2018

By: /s/ Joshua Tom
Joshua Tom

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2018, I caused the foregoing **JOINT MOTION FOR ENTRY OF STIPULATED SCHEDULING ORDER** to be electronically filed with the Clerk of the Court using the CM/ECF system, which has generated and delivered electronic notice of filing to all counsel of record who have consented to electronic service.

/s/ Joshua Tom _____

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; LAWRENCE BLACKMON; HERBERT ANTHONY GREEN; KHADAFY MANNING; QUINNETTA MANNING; MARVIN MCFIELD; NICHOLAS SINGLETON; STEVEN SMITH; BESSIE THOMAS; and BETTY JEAN WILLIAMS TUCKER, individually and on behalf of a class of all others similarly situated,

Plaintiffs,

v.

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Defendants.

Civil Action No.
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STIPULATED SCHEDULING ORDER

Plaintiffs and Defendants hereby stipulate and agree that, subject to the approval of the Court, the following schedule shall apply in this case:

1. The deadline for submission of any expert reports and/or declarations in support of Plaintiffs' motion for class certification, and Plaintiffs' related disclosures, is **March 14, 2018**.
2. Discovery of any expert who submits a report and/or declaration in support of Plaintiffs' motion for class certification shall commence on **March 14, 2018**. Plaintiffs shall make any such expert(s) available to be deposed where the experts may be found on a date no later than twenty-five (25) days following the experts' disclosure, except where the Parties agree to conduct

such deposition(s) at a later date within this expert discovery period. Plaintiffs will endeavor in good faith to offer their expert(s) for deposition on an early date or dates in the 25-day period following disclosure, to the extent reasonably practicable.

3. The deadline for submission of (i) Defendants' brief in opposition to Plaintiffs' motion for class certification and (ii) any expert reports and/or declarations in opposition to Plaintiffs' motion for class certification, and Defendants' related disclosures, will be **May 8, 2018**.

4. Discovery of any expert who submits a report and/or declaration in support of Defendants' brief in opposition to Plaintiffs' motion for class certification shall commence when Defendants submit such brief and conclude on **July 2, 2018**. Defendants shall make any such experts available to be deposed where the experts may be found on a date no later than on a date no later than twenty-five (25) days following the experts' disclosure, except where the Parties agree to conduct such deposition(s) at a later date within this expert discovery period. Defendants will endeavor in good faith to offer their expert(s) for deposition on an early date or dates in the 25-day period following disclosure, to the extent reasonably practicable.

5. The Parties will assume the respective costs associated with their own experts' time spent preparing for those depositions. The Parties deposing the opposite Party's experts will be responsible for the opposite Party's experts' time spent in those depositions.

6. The deadline for submission of (i) Plaintiffs' reply brief in further support of Plaintiffs' motion for class certification and (ii) any rebuttal expert reports and/or declarations on behalf of Plaintiffs, and related disclosures, will be **July 2, 2018**.

Dated: February 26, 2018

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The foregoing Stipulated Scheduling Order is approved and adopted as an Order of the Court in the United States District Court for the Southern District of Mississippi, Northern Division, this _____ day of February, 2018.

LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE